

AGENDA
North Miami City Council
776 N.E. 125th Street, 2nd Floor, Council Chambers
North Miami, FL 33161

REGULAR MEETING

TUESDAY, MARCH 24, 2015
7:00 P.M.

1. CALL TO ORDER / ROLL CALL OF MEMBERS

2. PLEDGE OF ALLEGIANCE

(Motor Officer Ramon DeJesus, North Miami Police Department)

3. INVOCATION

(Pastor Cheryl Sejour, Gateway Foursquare Church)

4. ORDER OF BUSINESS (Additions/Deletions/Amendments/Deferrals)

5. SPECIAL PRESENTATION(s)

- ◆ Certificate of Recognition in honor of *Women History Month*
- ◆ Certificate of Recognition to *Marliene Bastien* in honor of Women's History Month
- ◆ Certificate of Recognition to *Sergeant Patrick McNally, Officer Ray DeJesus, Jr. and Officer Michael Cherry* for their accomplishments, respectively.

6. CITY EVENTS – ANNOUNCEMENT

7. CITY PROJECTS UPDATE

8. CONSENT AGENDA

UNLESS A MEMBER OF THE CITY COUNCIL WISHES TO REMOVE A SPECIFIC ITEM FROM THIS PORTION OF THE AGENDA, TABS A THROUGH G CONSTITUTE THE CONSENT AGENDA. THESE RESOLUTIONS AND ITEMS ARE SELF-EXPLANATORY AND ARE NOT EXPECTED TO REQUIRE ADDITIONAL REVIEW OR DISCUSSION. EACH ITEM WILL BE RECORDED AS INDIVIDUALLY NUMBERED RESOLUTIONS, ADOPTED UNANIMOUSLY BY THE FOLLOWING MOTION:

“...THAT THE CONSENT AGENDA COMPRISED OF TABS A THROUGH G BE ADOPTED...”

[TAB A]

APPROVAL OF MINUTES – Regular Council Meeting – March 10, 2015

Sponsored by: *Michael A. Etienne, City Clerk*

[TAB B]

AUTHORIZATION FOR EXPENDITURE FROM THE LAW ENFORCEMENT TRUST FUND IN THE AMOUNT OF \$70,000 TO BE UTILIZED FOR LAW ENFORCEMENT TRAINING, CONFERENCES, PROFESSIONAL ORGANIZATION MEMBERSHIPS, TRAINING FOR POLICE PERSONNEL, MEDIA CRIME PREVENTION AND PUBLIC SERVICE ANNOUNCEMENTS.

Sponsored by: City Administration

Responsible Staff Person: Leonard Burgess, Chief of Police

[TAB C]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, TO PROVIDE FOR THE NORTH MIAMI POLICE DEPARTMENT'S PARTICIPATION IN THE ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCE ("OCDEF") PROGRAM; FURTHER AUTHORIZING THE CITY MANAGER AND POLICE CHIEF TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Leonard Burgess, Chief of Police

[TAB D]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE SUBMISSION OF AN APPLICATION AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE MIAMI FOUNDATION FOR A GREATER MIAMI TO SECURE THE DENISE MOON MEMORIAL FUND VICTIMS ASSISTANCE PROGRAM GRANT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Natasha Colebrook-Williams, Chief of Staff

[TAB E]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE SUBMISSION OF AN APPLICATION AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI, THE NATIONAL RECREATION AND PARK ASSOCIATION (NRPA) AND THE WALMART FOUNDATION TO SECURE AN OUT-OF-SCHOOL TIME GRANT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Natasha Colebrook-Williams, Chief of Staff

[TAB F]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING THE SUBMISSION OF AN APPLICATION AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO SECURE A

TRANSPORTATION ALTERNATIVE PROGRAM GRANT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Natasha Colebrook-Williams, Chief of Staff

[TAB G]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO EXECUTE A SETTLEMENT AGREEMENT IN THE LITIGATION MATTER OF MARICELLY LOPEZ AS PERSONAL REPRESENTATIVE OF THE ESTATE OF OMAR MIELES (DECEASED) AND IN HER INDIVIDUAL CAPACITY AS THE MOTHER OF OMAR MIELES V. CITY OF NORTH MIAMI, CASE NO 08-35955 CA 09, SENATE BILL 78 AND HOUSE BILL 3557 (2014-2015), UPON THE EXECUTION OF A GENERAL RELEASE, DISCHARGING THE CITY OF NORTH MIAMI, ITS OFFICERS, AGENTS AND SERVANTS AGAINST ANY AND ALL CLAIMS AND DEMANDS IN CONNECTION WITH THIS ACTION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: Regine M. Monestime, City Attorney

9. PUBLIC HEARINGS – RESOLUTIONS, ORDINANCES, ZONING, LAND USE ITEMS, ETC.

9.A. RESOLUTIONS

[TAB H]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CREATION OF THE RATE ACTION COMMITTEE (RAC) TO PROVIDE RECOMMENDATIONS, GUIDANCE, AND SUPPORT TO CITY ADMINISTRATION ON MATTERS REGARDING THE WATER AND SEWER RATE STUDY IN ACCORDANCE WITH PROPOSED BYLAWS, IN SUBSTANTIALLY THE ATTACHED FORM; AND FURTHER AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO ESTABLISH AND IMPLEMENT THE RAC; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Arthur Sorey, Jr., Budget Director

[TAB I]

PROPOSED RESOLUTION OF MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPOINTING BOARD OF TRUSTEE MEMBERS TO THE MUSEUM OF CONTEMPORARY ART, INC., IN ACCORDANCE WITH CHAPTER 2, ARTICLE 3, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Babacar Mbow, MOCA Director

9.B. LEGISLATIVE MATTERS

9.B.1. ORDINANCES – SECOND READING AND PUBLIC HEARING

[NONE]

9.B.2 ORDINANCES – FIRST READING

[TAB J]

PROPOSED ORDINANCE (***FIRST READING***) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES ENTITLED, “GARBAGE AND TRASH” TO INCLUDE PROVISIONS FOR REGULATION OF LITTERING, UNSOLICITED ADVERTISING MATERIALS AND MAINTENANCE STANDARDS FOR DUMPSTER ENCLOSURES; ESTABLISHING STANDARDS FOR ISSUANCE OF NONEXCLUSIVE FRANCHISE PERMITS; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

Sponsored by: City Administration

Responsible Staff Person: Leonard Burgess, Chief of Police

[TAB K]

PROPOSED ORDINANCE (***FIRST READING***) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES ENTITLED, “ANIMAL CONTROL”, BY AMENDING SECTION 4-3 ENTITLED, “DEFINITIONS” AND BY CREATING SECTION 4-18 ENTITLED, “RESTRICTIONS ON RETAIL PET SALES AND PET MILLS” TO INCLUDE REGULATIONS RESTRICTING RETAIL PET SALES AND PET MILLS; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

Sponsored by: Councilman Philippe Bien-Aime

9.C. QUASI-JUDICIAL ITEM(s) – [NONE]

10. REQUESTS – PETITIONS – COMMUNICATIONS

11. CITIZENS’ FORUM

12. COUNCIL REPORTS

Mayor Smith Joseph, D.O., Pharm.D.

Vice-Mayor Carol Keys, Esq.

Councilman Philippe Bien-Aime

Councilman Scott Galvin

Councilwoman Marie Erlande Steril, MSW

13. CITY CLERK’S REPORT

14. CITY ATTORNEY’S REPORT

15. CITY MANAGER’S REPORT

16. ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC. ANY PERSON WISHING TO APPEAL THE DECISION OF THE CITY COUNCIL WILL NEED A VERBATIM RECORD OF THE MEETING'S PROCEEDINGS, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED (SECTION 286.0105, F.S.).

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE OFFICE OF THE CITY CLERK NO LATER THAN FOUR (4) DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 893-6511, EXT. 12147, FOR ASSISTANCE. IF HEARING IMPAIRED, TELEPHONE OUR TDD LINE AT (305) 893-7936 FOR ASSISTANCE.

AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE CITY CLERK, CITY OF NORTH MIAMI, 776 N.E. 125TH STREET, NORTH MIAMI, FL 33161. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE CITY CLERK AT (305) 893-6511.

IN ACCORDANCE WITH NORTH MIAMI CODE SECTIONS 2-291 AND 2-305, ANY LOBBYISTS MUST REGISTER WITH THE CITY CLERK'S OFFICE BEFORE ADDRESSING THE COUNCIL ON ANY OF THE ABOVE ITEMS.

TWO OR MORE MEMBERS OF THE CITY COUNCIL AND OTHER CITY BOARDS MAY BE IN ATTENDANCE AT THIS MEETING. THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY A TELEPHONE CONFERENCE CALL. THE LOCATION, 776 N.E. 125TH STREET, NORTH MIAMI, FL 33161-0850, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT.

ALCOHOLIC BEVERAGE SYMBOLS

- 1-COP Beer only, Consumption on Premises
- 2-COP Beer and Wine, Consumption on Premises
- 4-COP Beer, Wine and Alcohol, Consumption on Premises
- 1-APS Beer, Package Sales Only
- 2-APS Beer and Wine, Package Sales Only
- 3-APS Beer, Wine and Alcohol, Package Sales Only

ZONING SYMBOLS

- R-1 Residential Estate District
- R-2 Single-Family District
- R-4 Multi-Family District
- R-5 Multi-Family District
- R-6 Multi-Family District
- RO Residential Office District

ZONING SYMBOLS (continue)

- C-1 Commercial District
- C-3 Commercial District
- C-2BE Commercial District
- C-2BW Commercial District
- M-1 Industrial District
- PU Public Use District
- PD Planned Development District
- AOD Arts, Culture and Design Overlay District
- NRO Neighborhood Redevelopment District